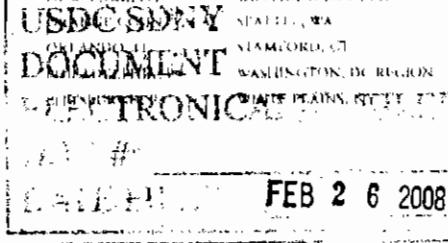




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February 26, 2008

VIA FACSIMILE – (212) 805-0426

Hon. Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSED

The ECF system provides notice of the entry of this Order to each party that has both entered an appearance in this case and registered with ECF. The ECF-registered attorneys are responsible for providing notice to any co-counsel whose e-mail addresses are not reflected on the ECF docket for this case, and Plaintiff's counsel, upon receiving notice of this Order, is hereby ordered to fax or otherwise deliver promptly a copy to all parties who are not represented by ECF-registered counsel. A certificate of such further service shall be filed within 5 days from the date hereof. Counsel who have not registered for ECF are ordered to register immediately as filing users in accordance with the Procedures for Electronic Case Filing.

Re: David Webster, et al. v. Smithfield
Associates LLC d/b/a Pastis Restaurant, et
al., Index No. 08 Civ. 0166

Dear Judge Swain:

We are writing on behalf of all parties to inform the Court that the parties have decided to privately mediate this matter and to request a sixty (60) day adjournment of (1) the pretrial conference scheduled for April 18, 2008 at 3:15 p.m.; (2) the March 14, 2008 deadline for Defendants to answer, move or otherwise respond to the Amended Complaint; and (3) the April 11, 2008 deadline to submit the parties' joint Preliminary Pretrial Statement. Only one extension of time for Defendants to answer, move or otherwise respond to the Amended Complaint has been sought and granted.

We appreciate the Court's consideration of this request.

The requested adjournment and extensions are granted. The conference is adjourned to June 20, 2008 at 10:00 AM and the related deadlines are modified accordingly. Defendants shall respond to the Amended Complaint by May 13, 2008.

JACKSON LEWIS LLP

Felice Ekelman

cc: D. Maimon Kirschenbaum, Esq. (via electronic and regular mail)

Liane Chinwalla, Esq.

SO ORDERED.

LTS 2/26/2008
LAWRENCE G. SWAIN
UNITED STATES DISTRICT JUDGE